

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM AYERS,

Plaintiff,

V.

C. P. BOURG, INC.

Defendant.

DOCKET NO. 04-cv-10137-MLW

JOINT PROPOSED PRETRIAL STATEMENT

Pursuant to Local Rule 16.1(D), William Ayers (“plaintiff”), and C.P. Bourg, Inc., (“defendant”), submit the following Joint Proposed Pretrial Statement.

Counsel for the parties conferred pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(B).

A. Pursuant to Local Rule 16.1(D)(1), the joint discovery plan is as follows:

1. The parties' initial disclosures pursuant to Fed.R.Civ.P. 26(a) shall be served on or before October 15, 2004.
2. All written discovery, with the exception of Requests for Admissions, shall be served on or before December 15, 2004, and all responses thereto shall be due according to the Federal Rules of Civil Procedure deadlines for discovery responses.
3. All non-expert depositions will be completed by February 15, 2005.
4. All written Requests for Admissions shall be served by March 15, 2005, with responses due by April 15, 2005.

5. Plaintiff will serve disclosures and reports of all expert witnesses required under Fed. R. Civ. P. 26(a)(2) by May 16, 2005, and depositions of plaintiff's experts will be completed by.

7. Defendant will serve disclosures and reports of all expert witnesses required under Fed. R. Civ. P. 26(a)(2) by June 17, 2005, and depositions of defendant's experts will be completed by July 15, 2005.

B. Pursuant to Local Rule 16.1(D)(2):

1. All motions for summary judgment will be filed by August 15, 2005.
2. Oppositions to any Motion for Summary Judgment will be filed by September 15, 2005. Any Replies to the Oppositions will be filed by September 26, 2005.
3. Should Motions for Summary Judgment not be filed by the above date, or should any such motions be denied by the court in whole or in part, the Court will convene another conference to explore settlement and to establish dates for a final pretrial conference and trial.

C. Pursuant to Local Rule 16.1(D)(3), certifications signed by counsel and an authorized representative of each party will be filed with the Court.

Respectfully submitted,

DEFENDANT
C.P. BOURG, INC.
By its attorney,

PLAINTIFF
WILLIAM AYERS
By his attorney,

/s/ Richard Van Nostrand
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